

PC30246J
Appln. No. 10/723,140



Certificate of Mailing (37 C.F.R. §1.8):

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 25th day of July 2006.

s/

Bonnie Acosta

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JOHAN WILHELM STJERNSCHANTZ

Application No.: 10/723,140

Filed: November 25, 2003

**For: PROSTAGLANDIN DERIVATIVES FOR
THE TREATMENT OF GLAUCOMA OR
OCULAR HYPERTENSION**

Confirmation No.: 9449

Group Art Unit: 1626

Examiner: Joseph R. Kosack

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 C.F.R. § 1.705

Mail Stop Issue Fee
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sirs:

In response to the Determination of Patent Term Adjustment under 35 U.S.C. § 154(b) which issued in connection with the Notice Of Allowance and Fee(s) Due for Application No. 10/723,140, mailed April 27, 2006, entry of this Application for Patent Term Adjustment as set forth in 37 C.F.R. § 1.705, is respectfully requested.

Time of Submission

This Application for Patent Term Adjustment is being submitted no later than the payment of the issue fee.

Payment of Fees

The payment of the Issue Fee of \$1400 and Publication Fee of \$300 for a Total Fee Due of \$1700 for allowed Application No. 10/723,140 accompanies this request.

The payment of \$200 for requesting reconsideration of the patent term adjustment as set forth in 37 C.F.R. §§ 1.705(b) and 1.8(e); as well as the payment of \$600 for requesting

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reinstatement of the patent term as set forth in 37 C.F.R. §§ 1.705(b), 1.705(c), 1.704(b) and 1.8(f), accompanies this request.

Accordingly, authorization is hereby provide to charge any fees as stated above, or any other fees that are required, to Deposit Account No. 500329.

Statement of Facts

In the Determination of Patent Term Adjustment under 35 U.S.C. § 154(b), the Office has calculated a patent term adjustment of 243 days for allowed Application No. 10/723,140. As explained below, Applicant respectfully submits that the correct patent term adjustment is **248 days**.

As set forth in 37 C.F.R. §§ 1.702 and 1.703, the Office has calculated that the delay in the examination caused by the Office is 248 days. However, the Office has calculated that the delay in prosecuting Application No. 10/723,140 allegedly caused by the Applicants is 5 days, thus providing a calculated patent term adjustment of 243 days, i.e., $248 - 5 = 243$ days.

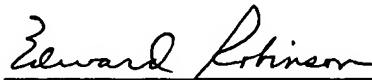
The alleged 5 day delay stems from Applicant's Response to the Non-Final Office Action, mailed on December 29, 2005. Applicants submitted their Response to this Action to the Office on March 29, 2006 via United States Postal Service First Class Mail. This Response was timely filed as it was within the requisite 3-month time limit and included a signed Certificate of Mailing. There were no circumstances constituting a failure to engage in reasonable efforts to conclude prosecution (processing or examination) of Application No. 10/723,140 as set forth in 35 U.S.C. § 1.704.

Applicant requests reconsideration and reinstatement of these 5 days providing a total patent term adjustment of 248 days for allowed Application No. 10/723,140.

Terminal Disclaimer

Allowed Application No. 10/723,140 is not subject to any terminal disclaimers.

Respectfully submitted,



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Date: July 25, 2006

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